



**Legislative Bulletin.....June 16, 2011**

**Contents:**

**Amendments to H.R. 2112 (Vote Series II)**—FY 2012 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act

**Order of Business:** The amendments to H.R. 2112, the FY 2012 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, are scheduled to be considered on Wednesday, June 15, 2011 under an open rule. The rule ([H.Res.300](#)) waives all points of order against consideration of the bill and those that fail to comply with clause 2 of rule XXI except for section 740, 741, 743, and 744. The rule also provides for the bill to be read for amendment by paragraph and under the five minute rule. The rule *provides priority for recognition to Members who have pre-printed their amendments in the Congressional Record* and provides for one motion to recommit with or without instructions.

**RSC Staff Contact:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226-8576.

**Additional RSC Contacts:** Bruce Miller, Ja’Ron Smith, Cyrus Artz, Joe Murray

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**SUMMARY OF AMENDMENTS [Being Voted On](#)**

**Pingree (D-ME).** This amendment would prohibit funding in the bill from being used to provide notification to the Agriculture Committee on travel relating to “Know Your Farmer, Know Your Food.”

**Foxx (R-NC).** This amendment would prohibit funds to be used for the Know Your Farmer, Know Your Food initiative of the Department of Agriculture.

**Kind (D-WI).** This amendment would prohibit funds in the bill from going to Brazilian cotton agribusinesses. This funding is \$147,300,000. In 2002, Brazil lodged a complaint at the World Trade Organization (WTO) accusing the U.S. of having a cotton subsidy system that is not in compliance with WTO commitments. In 2009, a WTO arbitration panel authorized Brazil to engage in retaliatory trade sanctions against the U.S. Instead of reforming domestic cotton subsidy programs, the U.S. is paying \$147,300,000 annually to Brazilian agribusiness every year. This amendment would prohibit funds in the appropriations bill from being used to make this payment, thereby ending subsidies to Brazilian farmers and would force Congress to deal with the trade compliance issue related to domestic cotton subsidy programs.

**Dingell (D-MI).** This amendment would increase funding for salaries at the Food and Drug Administration by \$49,000,000. The sponsor's office states that this amendment cuts \$5 million from the Departmental Administration account, \$20 million from the Agriculture Buildings and Facilities and Rental Payments account, \$10 million from administrative expenses under the Agricultural Credit Insurance Fund, \$4 million from administrative expenses under the Rural Housing Insurance Fund, and \$10 million from the Foreign Agricultural Service.

**Jackson Lee #1 (D-TX).** This amendment would reduce funding for the Agriculture Buildings and Facilities by \$13,000,000 and would increase funding for the Office of the Secretary for Healthy Food Financing Initiative by \$5,000,000.

**Gibson (R-NY).** This amendment would transfer \$6,000,000 for broadband loans, authorized by section 601 of the Rural Electrification Act of 1936. Funding for the General Services Administration for rent would be reduced by \$6,000,000.

The first two-week Continuing Resolution [eliminated](#) funding for the RUS Broadband Loan Program; however, \$22.3 million was included in the final Continuing Resolution that was signed into law for FY 2011. Some conservatives may believe the program is duplicative to other telecommunications program under the Universal Service Fund and has not maintained its focus on rural communities without preexisting service.

From Rep. Gibson's office "Giving rural communities the ability to access broadband is a primary way to ensure small businesses and farmers have the opportunity to expand and compete. This is not a grant program, it is a loan program that is paid back to the federal government with interest."

The following outside groups are opposing this amendment:

- Americans for Tax Reform
- Center for Fiscal Accountability
- Citizens Against Government Waste (CCAGW)
- Digital Liberty
- National Taxpayers Union

The following outside groups are supporting this amendment:

- American Farm Bureau
- NYS Farm Bureau
- National Telecommunications Cooperative Association
- Western Telecommunications Alliance.

**Blumenauer (D-OR).** This amendment would prohibit funding to pay the salaries and expenses of personnel of the Department of Agriculture that provide more than \$125,000 per year in Title I payments. According to the sponsor, this does not include conservation payments.

**Steve King #1 (R-IA).** This amendment would prohibit funding to be used to settle claims associated with the Pigford II program. In the 2008 Farm Bill, Congress limited taxpayers' exposure to the Pigford II settlement program at \$100 million, which was viewed sufficient to resolve the racial discrimination claims leveled against the United States Department of Agriculture by black farmers. During the lame-duck session of the 111<sup>th</sup> Congress, an additional \$1.15 billion was added into the *Pigford II* settlement program by H.R. 4783, the Claims Resolution Act of 2010 ([roll call vote linked here](#)). The sponsor believes that an investigation into the program will reveal that the majority of the claims that have been filed are fraudulent and Congress should not turn a blind eye to the real possibility that the money is being used primarily to build political goodwill for the President instead of being used to properly redress the much smaller universe of people who have actually suffered harm.

**Steve King #2 (R-IA).** This amendment would prohibit funding to be used for mifepristone. This is commonly known as RU-486, which is used as an abortion pill.

**Garrett (R-NJ).** This amendment would prohibit funds in the bill from being used by the Commodity Futures Trading Commission to promulgate any final rules under paragraphs (13) or (14) of section 2(a) of the Commodity Exchange Act, as added by section 727 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, until 12 months after the promulgation of final swap transaction reporting rules under section 21 of the Commodity Exchange Act.

**Jackson Lee #2 (D-TX).** This amendment would prohibit funding in the bill to be used in contravention of the Food and Nutrition Act of 2008.

**Scalise (R-LA).** This amendment would prohibit funding from being used to implement the Departmental Regulation of the Department of Agriculture entitled Policy Statement on Climate Change Adaptation, dated June 3, 2011. This regulation requires the USDA to develop a Climate Change Adaptation Plan and for each USDA agency and office to analyze how climate change may affect the ability of the agency or office to achieve its mission, identify potential impacts of climate change, implement response actions, and continuously assess the capacity to adapt to current and future changes in the climate. It further requires USDA to coordinate actions with USDA's Global Change Task Force and consider potential climate change impacts when undertaking long-term planning exercises.

**Jackson Lee #3 (D-TX).** This amendment would prohibit funding in the bill to be used in contravention of section 310B(e) of the Consolidated Farm and Rural Development Act.

**Hirono (D-HI).** This amendment would reduce funding from the Agriculture Buildings and Facilities and Rental Payments by \$3,000,000 and would transfer this funding to the Watershed Protection and Flood Prevention Program.

**Holden (D-PA).** This amendment would reduce each amount made available by this Act (other than an amount required to be made available by a provision of law) by 5.88 percent and would restore funding to conservation programs that are currently prohibited under paragraphs (1) through (8) of section 728. This amendment would not prohibit funding to the Conservation Stewardship Program, the Watershed Rehabilitation program, the Environmental Quality Incentives Program, the Farmland Protection Program, the Grassland Reserve Program, the Wetlands Reserve Program, and the Wildlife Habitat Incentives Act authorized by the Food Security Act.

**Campbell (R-CA).** This amendment would reduce salaries and funding in the legislation for the Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses by \$11,000,000. This program provides taxpayer funds to wildlife extermination services to agribusiness.

**Blackburn (R-TN).** This amendment would provide an across-the-board discretionary spending reduction of 5%, distributed equally to each account in the act. This amendment would decrease the budget authority by \$951,000,000 and would reduce outlays in the bill by \$675,000,000.

**Flake (R-AZ).** This amendment would prohibit funds appropriated in this bill to be used for the construction of ethanol blender pumps or ethanol storage facilities. This amendment was supported by the full House during consideration of H.R. 1 by a vote of [261 to 158](#).

**Flake (R-AZ).** This amendment would reduce the adjusted gross income (AGI) limit for receiving farm payments to \$250,000, regardless of whether it comes from on-farm or off-farm sources. According to the sponsor, recipients are entitled to receive farm subsidies so long as their adjusted gross income (AGI) is less than \$500,000 in non-farm AGI and \$750,000 of farm AGI. Thus, you can have an AGI of slightly less than \$1,250,000 and still receive federal agriculture payments.

**Lipinski (D-IL).** This amendment would prohibit funding to be used to alter contract number GS 4076 D with regard to location of data storage. The sponsor's office has yet to provide additional information regarding this amendment.

**Flake (R-AZ).** This amendment would prohibit funding from being used for the Market Access Program (MAP). The RSC Sunset Caucus has previously highlighted eliminating the Market Access Program ([see here](#)). The Market Access Program spends millions of taxpayer dollars (\$200 million in FY 2011) for advertising and promotion to profitable, private companies. The New York Times shined light on this program in February, noting that "over the last decade, the program has provided nearly \$2 billion in taxpayer money to agriculture trade associations and farmer cooperatives. The promotions are as varied as a manual for pet owners in Japan and a class at a Mexican culinary school to teach aspiring chefs how to cook rice for Mexican consumers." Many conservatives believe that taxpayers should not be forced to finance this type of corporate welfare, especially at a time when the nation's deficit is at unprecedented levels.

